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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/123,351	04/16/2002	Gerald Joseph Drew	600.1220	7252

23280 7590 10/22/2003  
DAVIDSON, DAVIDSON & KAPPEL, LLC  
485 SEVENTH AVENUE, 14TH FLOOR  
NEW YORK, NY 10018

EXAMINER

CULLER, JILL E

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 10/22/2003

# Office Action Summary

Application No.

09/994,972

Applicant(s)

CHARETTE ET AL

Examiner

Ren L Yan

Art Unit

2854

KW

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 29 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 13 is/are pending in the application.
- 4a) Of the above claim(s) 13 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

The request for reconsideration and affidavit filed on 9-29-2003 are effective to disqualify the Dufour patent as prior art against the claims of the present application.

Accordingly, the rejection set forth in the previous Office action is hereby withdrawn and a new rejection is in the following:

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyoshi et al(5,331,890) in view of Puschnerat(5,950,538). The patent to Miyoshi et al teaches the printing unit arrangement as claimed including, as shown in Fig. 1, a plurality of web fed rotary printing units 1a-1d each having first and second plate cylinders 4 and their associated first and second blanket cylinders 5. The printing units are stacked vertically one above the other and the web is running in a vertical direction through the printing units so as to be printed multicolor images on both sides of the web. The plate cylinders and blanket cylinders of each of the printing units are mechanically coupled to each other and being commonly driven by a common drive motor(Fig. 4 and column 5, lines 44-61). However, Miyoshi et al do not teach a printing unit in which a first plate cylinder is driven by its own drive motor and a second plate cylinder and a first and second blanket cylinders are driven by a common drive motor as recited. The patent to Puschnerat teaches in a similar web fed rotary printing unit having first and second plate cylinder 3 and 2

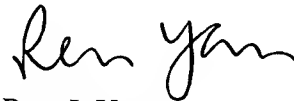
and first and second blanket cylinders 6 and 4 arranged in a same way as in the present invention. Plate cylinder 2 and blanket cylinders 4 and 6 are mechanically coupled together and driven by a common drive motor 26 while plate cylinder 3 is provided with its own drive motor 27 such that plate cylinder 3 can be taken out of engagement with its associated blanket cylinder to facilitate a printing plate exchange without having to stop the entire printing unit. See Figs. 1 and 2, column 2, lines 5-16 and column 3, lines 46 through 57 in Puschnerat for example. In view of the teaching of Puschnerat, it would have been obvious to those having ordinary skill in the art to provide at least one of the printing units of Miyoshi et al with the two motor drive structure appropriately disposed as taught by Puschnerat so as to facilitate the plate exchange operation without stopping the printing operation of the printing units. With respect to claim 2, to provide another printing unit in the printing units of Miyoshi et al with the two motor drive structure to enable plate exchange on the fly as taught by Puschnerat would have been obvious to those having ordinary skill in the art. When one of the plate cylinder in each of the printing units is driven by its own motor and these motors can be individually controlled, to engage or disengage the plate cylinders with their associated blanket cylinders in order to enable plate exchange operations whenever is desired would have been obvious to one of ordinary skill in the art. Regarding claims 3 and 4, to provide the printing unit arrangement of Miyoshi et al with one or more of the same printing units in order to print more colors on the web and to provide these printing units with a common drive motor to drive the mechanically coupled plate and blanket cylinders as is conventionally practiced in the printing art would have been most obvious.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ren L Yan whose telephone number is 703-308-0978. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on 703-305-6619. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.



Ren L Yan  
Primary Examiner  
Art Unit 2854

Ren Yan  
Oct. 21, 2003